

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re:	Bankruptcy No. 18-20958-TPA
Trisa M. Thompson, Debtor(s)	
Eric E. Bononi, Trustee, Movant	Chapter 7
v.	
Trisa M. Thompson, Respondent(s)	

**OBJECTION TO DEBTOR'S EXEMPTIONS**

AND NOW, comes the Trustee, Eric E. Bononi, by and through his attorney Eric E. Bononi, Esquire and Bononi & Company, P.C., and files the within Objection to Debtor's Exemptions, stating in support thereof as follows:

1. Trisa M. Thompson (hereinafter "Debtor") filed a Petition for Relief under Chapter 7 of the Bankruptcy Code on March 14, 2018.
2. This proceeding is a core proceeding over which this Court has jurisdiction pursuant to the provisions for 28 U.S.C. §157 and §1334.
3. The United States Trustee, pursuant to §701 of the Code, appointed Eric E. Bononi (hereinafter "Trustee") and he, having conducted the §341 Meeting of the Creditors, is now servicing as Trustee pursuant to §702(d).
4. The initial §341 meeting was held on April 20, 2018, and the Debtor was discharged on June 20, 2018. The case was reopened on September 9, 2021 when the Trustee discovered an undisclosed potential settlement from a personal injury claim against Roundup.
5. Respondent, Trisa M. Thompson, is an adult individual who resides at 1405 Wade St. Ext., Aliquippa, PA 15001.
6. The Debtor, on September 30, 2021, Amended Schedule B at doc. 41, listed a Settlement from a Roundup lawsuit (hereinafter "lawsuit") in the amount of \$45,000.00.
7. The Debtor, on Amended Schedule C, claimed exemption 11 U.S.C. § 522(d)(11)(D) in the amount of \$23,675.00 and exemption 11 U.S.C. § 522(d)(5) in the amount of \$12,990.00 against the potential settlement from Roundup.

8. The Trustee is now objecting to the amended exemptions and is timely under Rule 4003(b)(1) as it within thirty (30) days of the debtor's filing of amended schedules on September 30, 2021.

9. The Trustee has investigated the claim with his Special Counsel, Thomas DellaFera, Esq., who was employed through a Court Order dated October 15, 2021. Attorney DellaFera has confirmed that the net proceeds cannot be fully calculated at this time due to insurance companies filing medical liens against the settlement. The anticipated net settlement date is in early 2022.

10. The counsel for the Trustee avers that the Debtor be limited to her exemption of 11 U.S.C. § 522(d)(11)(D) in the amount of \$23,675.00 as the net settlement proceeds are unknown.

11. The Debtor, on Amended Schedule B at doc. 41, additionally listed her home with a property value of \$95,000.00 and claimed exemption 11 U.S.C. § 522(d)(1) in the amount of \$4,404.47.

12. The Trustee avers that the property is worth more based upon his findings. Zillow listed the property with a value of \$152,000.00, attached hereto as "Exhibit A". Beaver County assessed the value of the property in the amount of \$27,100.00, attached hereto as "Exhibit B". The common level ratio for Beaver County is 6.06, multiplied by the assessed value for a fair market value of \$164,226.00.

13. The Trustee further objects to any excess 11 U.S.C. § 522(d)(5) exemption being used for the Roundup settlement as the Debtor will use all of her 11 U.S.C. § 522(d)(1) exemption for her property and there will be no additional 11 U.S.C. § 522(d)(5) available.

14. It is the Debtor's duty to exercise reasonable diligence in completing all of the documents fully and accurately. 11 U.S.C.A. §521. As such, the Trustee requests that the debtor's use of the exemptions be limited to the statutory amounts.

WHEREFORE, Eric E. Bononi, Trustee, respectfully requests this Honorable Court to issue an order limiting the Debtor's claimed exemptions to the statutory cap of the exemption.

Respectfully submitted,

DATE: October 21, 2021

Prepared by:  
Eric E. Bononi, Esq.

/s/ Eric E. Bononi

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